IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :
THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 23RD NOVEMBER 2006 / 2ND AGRAHAYANA 1928

Bail Appl..No. 6866 of 2006()
(CRIME NO. 492/06 OF PANDALAM POLICE STATION)

PETITIONERS/ACCUSED:

1. FYSAL, S/O.SAINUDHEEN,
ADHILA MANZIL, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

2. RIYAD, S/O.KUTHUBATH LABBA,
THARAKKANVILAYIL, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

3. KAMAL, S/O.MUHAMMED BASHEER,
MADATHIL HOUSE, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

4. SUDHEER, S/O.BASHEER RAWTHER,
ASSARIYATH HOUSE, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

5. SHEFEEK, S/O. SULAIMAN,
KUMBAZHAKUTTAN VEEDU, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

6. MUJEEB, S/O.HASSANKUTTY RAWTHER
THAYYIL THEKKETH, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

7. SHAJU, S/O.RASHEED, UDAYAMADATHIL HOUSE
KADAKKAD DESOM OF PANDALAM TALUK,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

STATE OF KERALA THROUGH THE
SUB INSPECTOR OF POLICE, PANDALAM POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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B.A. NO. 6866 of 2006

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Dated, this the 23rd day of November 2006

ORDER

Petitioners are accused Nos. 1 to 7 in Crime No. 492/2006 of Pandalam Police Station for offences punishable under Secs. 143, 147, 148, 452, 341, 323, 324, 326 read with Sec. 149 I.P.C, seek anticipatory bail.

2. Occurrence took place on 6-11-2006 at 10 p.m. inside the property of the defacto complainant who was attacked with sword, iron pipes etc. and has sustained injuries including fracture on the knee.

3. It is too early to conclude that the petitioners are not guilty of the offences alleged against them. Even if the defacto complainant/injured is a known gunda, that is not a reason to meddle with his body and inflict injuries on him. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail within 10 days from today, the same shall be disposed of, preferably , on the same date on which it is filed.

With the above observation, this application is dismissed.

Sd/-V. RAMKUMAR,
(JUDGE)

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